

TETON COUNTY PLANNING AND ZONING COMMISSION

Meeting Minutes from July 10, 2012 Teton County High School Auditorium, Driggs, ID

COMMISSIONERS PRESENT: Mr. Chris Larson, Mr. Ryan Colyer, Ms. Jennifer Dustin, Mr. Dave Hensel, Mr. Bruce Arnold, Mr. Darryl Johnson, and Mr. Sean Hill

COUNTY STAFF PRESENT: Ms. Angie Rutherford, Planning Administrator, Mr. Curt Moore, Planner, and Ms. Kathy Spitzer, County Attorney.

The meeting was called to order at 5:07 pm. Mr. Hensel explained the process and evolution of the final draft of the Comprehensive Plan. Mr. Hensel stated that the commission would take public comments tonight and the Commission will deliberate the following night on July 11, 2012. He also explained that the Plan would be forwarded onto the Board of County Commissioners, who would look at it and in turn would have a public hearing and that this would not be the last time the public could comment on the Plan.

Angie Rutherford, planning administrator, commented on the most important messages received throughout the long, extensive Comp Plan process: community and our natural resources. She spoke of the need for a plan to move forward and protect the community and way of life in Teton Valley. She talked about the hundreds of hours put in by volunteers, as well as the community input that went into developing the Comp Plan being proposed for approval. She recommended that the Plan go forward with no major changes but recommended a few small changes.

Public Comment:

Mr. Dan Powers, Mayor of Driggs, read from an official letter from the City approved by the City Council which outlined some suggested changes. He thanked everyone for the hard work and long hours spent to produce the Comp Plan. He talked about growing the economy and felt the Comp Plan will provide a framework to accomplish that end.

Mr. Bill Knight, Planning Director for the City of Victor, thanked everyone for their efforts to produce the Comp Plan. He stated that the Mayor voiced his support to keep growth within the city limits and area of impact. They enthusiastically support the notion of a rural County. He read from a letter sent to the P&Z department outlining the City of Victor's opinion on the land use map and framework map.

IN FAVOR:

Mr. Felix Zajac commented on the process he felt was fair and extensive throughout the community. He stated that he supports the adoption of the Comp Plan, and specifically supports the reduction of platted residential lots. He also wanted to see the wildlife and scenic corridors protected and supported those efforts.

Ms. Alice Stevenson, a Teton County voter, commented she has been involved in the process for 2 years, serving on the community facilities and events subcommittee. She has read all the comments submitted and felt the plan reflects the comments received. She felt that the Commissioners have given all the public comments thoughtful consideration. She supports this Comp Plan draft with the exception of certain points she has already asked the commission to consider, and she encouraged the P&Z to approve the Comp Plan and send it on to the BOCC for further public comment and approval.

Mr. Richard Berg, resident, commented he is retired and loves living in Teton County. He discussed his ag background (although he is a lawyer) and commented he supports the Comp Plan although it could use

some tweaking in his opinion. He was concerned with the term “heavy industry” and wanted to see that clarified. He talked about the number of lots in the County and the fact that there are more than enough to supply the population even if the population were to triple in the next 20 years. He talked about property rights vs. property responsibilities. He supports the concept of reducing residential lots by 75%.

Ms. Stacey Frisk, VARD, thanked the commission for their services and commented on the Comp Plan as it exists and encouraged the commission to keep the language to reduce the residential lots by 75%. She also supports language that strengthens the wildlife overlay. She suggested adding language for clarity.

Mr. Richard Grundler, thanked everyone for their participation. He commented on the scenic byways portion of the Comp Plan and the need to protect them and encouraged the support of tourism for our economic benefit. He commented on several berms in the County that were a problem as they are too close to the highway. Regarding controlled growth, he did not want to see a repeat of the past growth patterns. He talked about land values and which pieces of land were more desirable.

NEUTRAL:

Mr. Tony Goe, resident of Victor, stated he believes we need a Comp Plan and feels it still needs some work. He was on the Economic Development committee and attended the majority of the meetings. Regarding property rights and the recommendation to reduce lots by 75%, he disagreed with others who believe the reduction of lots will bail out the County. He referred to the TARP program and his opinion that the program brought us to where we are now. He wanted to see that language removed because he felt a fix will only occur by the national economy improving. He is afraid that when the national economy improves, the County will have restricted itself and people will be unable to buy.

Ms. Melissa Wittstruck worked in community planning for over a decade and explained her qualifications as a planner. She represents The Jackson Hole Community Alliance and talked about good planning and how good planning shapes the future of a community. By reducing the number of platted lots, and strengthening wildlife protection, it can help guide a vibrant recovery and protect rural community assets. She commented that the Comp Plan in front of the commission represents good planning. She talked about how Jackson Hole is working on good planning and how the communities of Jackson Hole and Teton Valley are linked. She says that long term health of the region is dependent on wise management of land and resources.

OPPOSED:

Ms. Caroline Reynolds, resident of Driggs, has issues with the process. She feels it was not necessarily fair or just. She was concerned with preservation of property rights and felt they were not adequately addressed because most participants in the surveys did not have property rights that would be affected like large property owners. She was also upset about the VARD mailer that went out to County residents and did not feel it was an honest representation of the issues. She felt the Comp Plan is based on false premises, that the results of the surveys were biased, and did not feel the County should be attempting to control wildlife.

Ms. Lea Beckett, 7 year resident and builder of the vodka distillery, commented on providing jobs for people and complained that she could have provided jobs to these people for a longer amount of time had it not been for the beaurocratic delays of Teton County administration. She was concerned with job opportunities and new business. She thinks that these opportunities will be worse under this plan. She complained about the high rents in the City of Driggs and indicated that is the reason all of the store fronts are empty. She wants to allow business in the impact zone and not just within the cities. She feels the plan is restrictive to private land owners in regards to the amount of buildings a landowner can build on

their own land. She wanted to eliminate the wildlife overlay. She does not want to see the Comp Plan approved.

Mr. Jack Revoyr, new resident, expressed frustration with the process and did not feel there was enough input from the original founders of the area and that the new residents were deciding the Comp Plan. He was on a committee and did not like the process; he thought they spent too much time on the wording rather than ideas. He did not like the last 20 pages. He did not believe in the philosophy of the Comp Plan and felt the government was too involved in life. He did not feel the County is going to provide services in the outlying areas.

Ms. Rachelle Fullmer, resident, expressed concerns regarding the adoption of language of meaningful open space. She urged them keep the Comp Plan language general and not too specific because creating specific requirements just micromanages.

Mr. Brent Robson, long time resident of Tetonia, received two different pieces of paper from the planning and zoning department that morning—one said Teton Valley 2020 and the other Teton Valley 2030. This is a concern for him because he thinks there is some confusion as to length of the Comp Plan. He commented on the 75% reduction in residential lots and disagrees with the term view shed and didn't think the County should be controlling wildlife overlays. He feels the scenic corridor designations are unrealistic. He feels the major changes need to be advertised and allow for more public comment.

IN FAVOR:

Ms. Amy Verbeten, resident north of Driggs, was involved with the natural resources and outdoor recreation subcommittee and was a member of the Core committee. She stated she believed her committee achieved their goal to support all comments submitted. She asked the Commission to approve the current plan without major revision and encouraged them to incorporate community involvement and public input when modifying the zoning codes.

Mr. Chris Valiante, Driggs resident, thanked all the people who contributed to the development of the Comp Plan and said he supports the Comp Plan. He liked the Economic Development section with emphasis on local businesses, the preservation of wildlife, supported education and recycling as well as ag heritage preservation. He was not sure about design review in the scenic corridor, thought it could be addressed with density as well as conservation easements. He says we are drowning in the amount of lots we have and we need to reduce the supply and vacate some subdivisions.

Ms. Janna Rankin, Victor resident and chair of a national nonprofit for parks & recreation, supported a plan for developing parks and open space. She wanted to see smart growth policies to encourage economic growth.

Ms. Julie Stomper, Victor resident and member of the Core Committee, voiced support for the Comp Plan and recommended approval without making any substantial changes.

Ms. Erica Rice, resident of Driggs, was grateful to be involved on a subcommittee and as a resident, supports the plan and encourages approval.

OPPOSED:

Mr. John Strong, Driggs resident whose family owns 325 acres north of Driggs, opposed the Comp Plan because he felt it supports the idea of entitlement. He told a story about his daughter, using the example to explain "What's yours is mine and what's mine is mine" and how VARD has a two year old's mentality. He feels that we live in a free market society and that decides what lots are sold and not sold. He feels the Comp Plan takes away property rights for people in the valley. He feels that free market

should decide future policy. He feels that wildlife is not a private responsibility, and that it belongs to the Fish & Game. He talked about preservation of farming and how he feels that the preservation of farming is more like an entrapment.

Ms. Marlene Robson, Felt resident, is against the Comp Plan because it does not protect private property rights. She believes the surveys were slanted to get the opinions that the plan wanted. She did not believe the plan was put together by local opinion because the plan was put together by Harmony Design, and a firm that is located out of state. She read an excerpt from "The Cato Handbook for Policymakers", which talks about property rights and how they are protected. She feels her private properties rights are being taken away by regulations, restrictions, overlays and zoning. She objected to page 26 in the Framework Plan, where it tells people they have to live near the cities. She also objected to some wording changes within the plan.

Ms. Verna Lerwill, resident, commented she attended several meetings and did not think the Comp Plan reflects the protection of private property rights. She does not think that that any of their opinions mattered in the writing and more time needs to be taken to study these out and realize what the changes will mean to everyone. She felt the density descriptions were confusing and confining and was not in favor of reducing residential density by 75% as proposed as she felt that it would stop potential development and would take away entitlements, rights and options. She read from Idaho statute Title 67 Chapter 65 Local Lands Planning, in regards to property rights. She was not in favor of approving the Comp Plan as proposed as she feels it was written to satisfy only a portion of the County's residents.

Mr. Kent Bagley, Victor resident, was concerned about the meetings being held during the busiest time for ag farmers and didn't feel it gave them a fair shot at participation. He was concerned with the proposed densities and he did not feel the classification of prime farm ground was properly labeled. He was also concerned with the scenic corridor designations. He was also concerned with the wildlife overlay and how it affects his property. He was also against the reduction by 75% of residential lots because of its impact on this community. He sees the Comp Plan as a no growth plan and sees that as a bad thing.

Mr. James Price, long time resident, commented he felt very strongly that the law of supply and demand will take care of the economic problems. He was concerned with the overlays and feels the wildlife can take care of themselves. He says that he sees more wildlife now than when he was younger.

IN FAVOR:

Ms. Anna Trentadue, a member of the economic subcommittee, commented on the recommendations made by her committee about housing density, and gave a little more history on those recommendations. She said that they looked at growth projections for the County, and that under every growth scenario during the length of this plan, the current supply of lots vastly exceeds the future demand. Even at 5% (which would triple our population in 20 years), there is still an oversupply. She talked about the "3-pronged" recommendations: 1) 75% reduction in residential lots 2) 60/40 commercial/residential tax base, and 3) prioritizing the existing commercial and manufacturing land in the County. She did not want to see the 3 prongs of their plan separated. Separating them would be undermining the intent that their committee was going for.

Mr. Mark Fisher, resident of Victor, commented on the public process and the work and involvement of all of those involved. He supports the plan and wants to see the plan approved.

Ms. Sue Muncaster, Victor resident, commented on what she has heard and read, and what she didn't hear. She disagreed with the comment about letting the national economy solve our problems. She talked

about conservation and preservation. Conservation is the wise use of our resources and preservation is no consumptive use. She was in support of the Comp Plan as she feels it is a conservation minded plan.

Mr. Jim Rein, Victor resident, commented on the discipline of City/County planning and the professional staff and volunteer Commission members who participate and have the expertise to share. Regarding the wildlife overlay, he was in support of it so as not to lose the wildlife we have. He says loss of habitat is the biggest problems for the wildlife we have.

Mr. Rusty Cheney did not want to see the approval process delayed because he felt it would further divide the community. He was in favor of approving the plan.

OPPOSED:

Mr. Glen Nelson, land owner in the County, was very upset about the 75% reduction in residential rights as he feels that it limits one man's freedom to choose what he will do with his own land. In regards to any of the corridors, he feels that they are an underhanded way to upgrade subdivisions. The Comp Plan process is going too fast and he suggested a delay to examine it more.

Mr. Jim Douglass, long time resident, was born here and made a comment on all of the people who "moved" here and said if it was so bad here they should just move away. He was concerned with his property rights and did not feel the County has the right to tell him what he can do with his property.

Mr. Randall Foster, small farmer/rancher in the valley, has been to many meetings and listened to many comments. He wanted to go on record objecting to the process and agrees with Brent Robson, John Strong and Kent Bagley. He is disappointed that not everyone got the chance to give their input.

Mr. Ryan Lerwill, did not feel a large majority of land owners were represented. He felt the language in the proposed plan was more appropriate for zoning ordinances and not the Comp Plan. He was concerned with the 75% reduction in residential lots. He is in the real estate business and says that we need to go back in history to find out what our median is. He says that by removing the potential of development in areas that have the location and amenities, it will limit the value.

Mr. Kitchener Head, agreed the valley needs a Comp Plan. He knows that this plan is not rules, but suggestions, and that the rules would be made from the suggestions. He was concerned about the reduction in value of large parcels of land based on the recommendations in the Comp Plan.

IN FAVOR:

Ms. Georgie Stanley, owns a small organic farm in Victor and supports the Comp Plan as it relates to economic development. She likes the effort to limit the ability for people to create dense developments. She also likes allowing ag lot splits.

Mr. Sandy Mason, Tetonia resident, commented that the old Comp Plan did not work and supports the new plan he feels is fair to all County residents. He feels fair means what is fair for all in the County, not just the old property owners. He advocates property rights but feels that property rights are a community commitment to fairness. He is in approval of the plan and that they should not delay this any longer.

Ms. Kim Keeley, 15 year Victor resident, envies the people who have lived here all of their life. She wants to see a clear, strong plan to protect the community, especially the wildlife, streams and rivers and open lands. She did not agree with the heavy industrial designation because it is not compatible with protecting wildlife and environment, but wants to see the plan adopted.

Mr. Jeff Daugherty, planner in Teton County, WY, commented he felt the outreach efforts were well done to gather public opinion. He felt the Comp Plan proposed was a good plan. He recommended having a national attorney review the plan to ensure protection of private property rights.

OPPOSED:

Mr. Mark Ricks, property owner, was concerned with the wildlife overlay, because he thinks it inhibits large chunks of land from being developed. He was also concerned with eroding property rights, and reduction in residential lots.

Mr. Stacy Lerwill was concerned about losing his development rights and how it affects his ability to get a loan in order to continue farming. He was also concerned with the wildlife overlays because it is huge on their piece of property. He also feels people should go buy their own open space if they want it.

Mr. Robert Piquet did not want to thank anyone for their time because it was taking up his time to speak instead of farm. He stated that each person has a right to their own property without government intervention. He thinks this plan could and should be replaced by a tax incentive system and land use that encourages a free market. He did not feel the plan was a plan and it doesn't make any sense.

Mr. David Breckenridge, Teton resident, feels density location was the most important part of the plan. He was not in favor of the wildlife overlay because he believes it funnels everything down onto his place which in turn costs him more money to control. He was also not in favor of the reduction of residential lots. He did not like the phrase we all need to give, to help, and he didn't want to help by losing his property values.

IN FAVOR:

Ms. Erica Linnell, property owner in Victor, wanted to support the Comp Plan. She acknowledges that the plan is not perfect, but it is compromise to provide a guide for the future. She feels that the entire community is affected by the Plan, not just the farmers, and there is a lot more to the plan than property rights.

OPPOSED:

Ms. Shelly Wright, farmer, was offended by being told how she can use her property. She didn't think that someone who has a small plot should have the same property rights as she does because she is supplying a great demand for a lot of people. She was concerned with her property rights being taken away. She says they need to be able to farm for now but if some day they aren't able to farm, then they want to be able to have the right to sell it for what it is worth.

Ms. Sherry Hill, local farmer, commented they have not been able to attend meetings because they are busy working on the farm. She commented on *Evans vs. Teton County* that says a Comp Plan is not a legal controlling zoning law. She also objected to the wildlife overlay and open space. She wants to know why this Comp Plan is being pushed so hard to be done by November and thinks we need more time.

Mr. Reg Roberts, long time resident, did not feel there is economic development in Teton County. He complained about the cost of restrictions and studies that were required to develop or divide his land. He was upset about people who believe they are entitled to other people's property.

Mr. Paris Penfold, was concerned with private property rights. He feels that there are some who are giving away a lot more with this plan. He was wondering what happened to the town sites. He is afraid

that some of the things in the plan will hurt some people. He did not want to see it passed when there were so many unanswered questions.

Mr. Bruce Ricks, farmer, was against approval of the Comp Plan because of the loss of private property rights. He agrees with many of the previous speakers in opposition as well as their comments. He wants to be able to do what he wants to with his property without any restrictions from the County.

Ms. Tiffany Jenkins, Bates resident, was concerned with the family lot split language that requires farming to allow lot splits. The way she understands it, a child would not be eligible for a lot in the split if they did not farm. She feels that a child should be able to get their share regardless of their chosen profession. She did not feel private property rights are community rights to be shared.

IN FAVOR:

Mr. Kent Werlin, land owner, expressed support for approving the Comp Plan.

OPPOSED:

Ms. JoDeane Strong-Ricks, thanked everyone for their time and effort with this process. She is concerned about private property rights and entitlements, and that some of the language in the Comp Plan is vague. She thinks the process needs to slow down and acknowledge property owners' rights.

Mr. Aaron Hansen, Tetonia resident, expressed his concern with page 55 in the key action steps, to reduce residential lots by 75%. From what he reads it looks like the reduction could actually be more than 75% and he wants to know if the staff realizes that.

IN FAVOR:

Ms. Molly Loomis-Tyson, Victor resident, commented that the process has been going on for 2 years and represents a cross section of the community and should be adopted as is. Don't be swayed by the minority that has made themselves heard over the past few weeks.

OPPOSED:

Ms. Kris Ricks, opposed to the adoption of the Plan, did not feel the plan reflects the views of the entire community. She feels that comments were disregarded and that there was an agenda that was met while ignoring input. She said that she realized that there needs to be a Comp Plan but that she did not feel the Comp Plan was fair to large land owners and farmers. She hopes that the commission considers the plan a little more carefully before moving forward.

Ms. Kay Fullmer, rancher in Tetonia, is against the Comp Plan as proposed. She did not feel the surveys were properly reflected in the Comp Plan or that the whole survey process was done fairly.

Mr. Clinton Lemieux, new resident, opposed to the Comp Plan because it will kill the economy. He will leave the valley and his extended family will not move here if the Comp Plan passes. He says the plan is only beneficial to those with trust funds or those who are independently wealthy. He says we need to focus on fixing our roads before building any more bike paths.

The public comment was closed at 8:04. Commission deliberations will occur on July 11, 2012.

MOTION: Mr. Arnold moved to continue the meeting until tomorrow at 5:00 PM. Mr. Larson seconded the motion.

VOTE: The motion was unanimously approved.

TETON COUNTY PLANNING AND ZONING COMMISSION

Meeting Minutes from July 11, 2012 Continuation of the July 10, 2012 Public Hearing Teton County High School Auditorium, Driggs, ID

COMMISSIONERS PRESENT: Mr. Chris Larson, Mr. Ryan Colyer, Ms. Jennifer Dustin, Mr. Dave Hensel, Mr. Bruce Arnold, Mr. Darryl Johnson, and Mr. Sean Hill

COUNTY STAFF PRESENT: Ms. Angie Rutherford, Planning Administrator, Mr. Curt Moore, Planner, and Ms. Kathy Spitzer, County Attorney.

Mr. Hensel called the meeting to order at 5:08 PM. The meeting is a continuance of the Public Hearing from July 10, 2012.

APPROVAL OF MINUTES:

The Commission reviewed the draft minutes of June 26, 2012.

Motion: Mr. Larson moved to approve the draft minutes of June 26, 2012, as amended. Mr. Arnold seconded the motion.

Vote: The motion passed unanimously.

Ms. Rutherford responded to comments, as the petitioner, from the meeting on July 10, 2012 where the public was allowed to comment on the Comprehensive Plan. She clarified the consultants used from Colorado were not the only author of the plan, there was local input from the subcommittees, core committees and a local firm Harmony Design to form the final draft. Ms. Rutherford stated that she believed the concept, ideas, and philosophy behind the Comp Plan came from the community, not a prewritten plan. She then discussed a comment made that the plan was an entrapment of farmers. She felt the Comp Plan held some options for farmers and provided more opportunity for those who wished to continue to farm. She talked about a comment that the Comp Plan will decrease land values dramatically and Ms. Rutherford pointed out that land values have already decreased dramatically due to the state of the economy. She also commented on the subcommittees challenge to look at the big ideas and philosophies versus the words and stated that on each agenda there was an agenda item called "What did we leave out, or what is missing." Each subcommittee had an opportunity to present any ideas they felt were left out in the process.

Mr. Hensel started on page 26 where it addresses the Town Neighborhoods and asked Ms. Rutherford to comment on her conversations with the City of Driggs and the City of Victor. Ms. Rutherford stated she and Mr. Moore had met with the City of Victor Planning & Zoning Commission and the City of Driggs City Council and that they would like to see included in the Comp Plan predominantly residential uses in the areas of impact to promote infill of the cities. They wanted to see the removal of commercial zoning in town neighborhoods to make them predominantly residential. Mr. Hensel asked if they were opposed to all commercial zoning. Mr. Moore commented he heard them say that they had unused commercial inside the city limits and would like to see that land used first. Mr. Hensel asked about the town neighborhood information provided in the supplemental information sheet submitted by Staff. He suggested a change to remove the words "while less dense." Mr. Larson agreed with the proposed change.

Mr. Hill commented he felt that growth should be encouraged within the city limits. Mr. Arnold agreed that removing the words “less dense” would accomplish that.

Mr. Hensel next discussed page 27 under Industrial/Research and the comments from both cities that they were not excited about the possibility of heavy industrial. Mr. Moore provided the Commission with alternative definitions of “heavy industrial.” Mr. Larson suggested changing “heavy” to “medium,” feeling it was more compatible with existing industrial operations. Mr. Moore commented on Mayor Dan Powers’ comments about the scale of industrial operations and felt that it should be considered in the review of a CUP for an industrial business. Mr. Hensel referred to the work on airplane equipment at the Driggs airport that qualifies as heavy industrial. Ms. Rutherford suggested adding a qualifier for certain areas that might be appropriate for heavy industrial business.

Mr. Hensel asked about the business development center question noting that the City of Driggs was somewhat uncomfortable with it because they were concerned it could include uses such as offices, which they felt would be more appropriate in the city limits. Ms. Rutherford read a description of that term, and asked if they wanted that type of operation in a business development center or in the city itself. Mr. Larson commented most of the business development centers he has experienced were mostly offices, so he suggested striking it. The Commission agreed with striking business development centers.

Ms. Dustin referred to page 26 and a statement that says “The majority of future residents will live near the Valley’s cultural heart of Driggs, Victor and Tetonina” and was concerned that it was dictating where people can live. Mr. Larson commented that it refers to future residents living near the cities, which is what the Comp Plan envisions. Ms. Spitzer pointed out it states the majority of the residents, not all residents. Mr. Hill commented the majority of residents currently live in town neighborhoods. He felt it was reflecting the intent of the Framework Map. Mr. Hensel commented that he looked at it and felt that it was appropriate since it states they will live in or near the cities. Ms. Dustin objected to the words “will live” and felt it was too strong. Mr. Arnold felt that since 51% of the people in the valley live in the cities currently, it would not hurt to leave it in.

Ms. Rutherford asked Mr. Arnold, a Felt resident, if it might be more appropriate to label the town of Felt as a rural neighborhood rather than a town neighborhood. Mr. Arnold felt it was more appropriate. Ms. Rutherford suggested moving the two sentences that referred to Felt on page 26 to the rural neighborhood description. The Commission agreed with the change.

Mr. Hill spoke about a comment from the City of Driggs about the redundancy of the term “medium density” referenced on page 27, since it is referred to in two bullet points. Mr. Hill agreed with Mr. Self’s suggestion about removing the second bullet. He felt the first bullet point was a more accurate version of density in the rural neighborhood. Mr. Hensel commented on the Victor area of impact and part of the Driggs area of impact as having A2.5 zoning, the same as in rural zones. He thought the City of Victor was fine with having the density in the town neighborhoods the same as the rural neighborhoods. Mr. Larson commented a strict definition of in between would not be the same as either end. Mr. Arnold suggested the word “blended” rather than “between.” He felt it should be a transition or blend. Ms. Rutherford suggested “transitional character” rather than “density”, but it might not address Victor’s concerns, and to leave it in the second bullet that says density. Mr. Hill felt that would address Mr. Self’s

concerns. Mr. Arnold commented on the third bullet point suggesting taking “clustering” out of it and adding it to the second bullet point. Mr. Hill felt it was a similar issue because the second bullet point was talking about density with large open space, which is where the clustering comes into play. The Commission agreed on the change.

Ms. Rutherford referred to the top of page 28 where it refers to rural neighborhoods having connections to towns. Mr. Hensel suggested adding “when practical” before the words “to towns.” Mr. Larson agreed it should be “when practical.” The Commission agreed.

Mr. Hill commented on page 28, the third bullet point, referring to a clear distinction between residential development and rural areas. He felt it should be a clear distinction between the residential clustering of a subdivision and the agricultural or open space of a subdivision. He suggested changing it to read “A clear distinction between residential development and open space/agricultural areas.” The Commission agreed.

On page 29, Mr. Hensel suggested a change to the sixth bullet point changing the word “limited” to “regulated.” The Commission agreed.

Ms. Rutherford asked about the City of Driggs’ comments on the Mixed Agriculture/Rural Neighborhoods where it refers to “medium to low density” and their concern that it will turn out to be “medium” density. Mr. Arnold commented that zoning ordinances will address the density issue. Mr. Larson agreed that rural neighborhoods are medium density and mixed agricultural is low density and he felt mixed ag/rural should be a blend of density. Mr. Hill commented he felt medium density was appropriate, and suggested the words “low density and targeted medium density.” Mr. Larson suggested using “where appropriate.” Mr. Hill felt it would express the intent that it is not medium everywhere, but where appropriate. Mr. Arnold agreed that it would represent the intent of the designation because there will be some transition areas. The Commission agreed on “where appropriate.”

Mr. Hensel commented on page 34, Goal ED4, policy 4.5 and suggested changing it to “limit commercial retail business to Driggs Victor and Tetonia” period. Mr. Larson commented that would address his concern about targeted neighborhood commercial in appropriate areas. Mr. Hill suggested striking the first sentence on commercial strip development. If commercial were limited to the cities then the county isn’t involved. Mr. Larson commented they want commercial to infill the cities and they can always annex if they need to.

On page 39, Mr. Larson asked about including in policy 2.3 the word “summer” along with the “winter” travel plan. Mr. Hensel commented it originated from a concern that the snowmobile interest needs to have plowed access to trailheads in the winter. Mr. Arnold suggested putting “summer/winter” travel plan or “year round.” Mr. Larson said they generally have different needs so both should be addressed.

Page 44, Mr. Hensel referred to the comments from Superintendent Woolstenhulme that asked to have “schools” taken out because they are under state control not local control. The Commission agreed. Also, on page 44, policy 2.1, the school district asked that it be changed to read “Work with School District 401, private schools and non-profit organizations to encourage expansion and development of pre-K through post secondary education systems.” The Commission agreed to this change.

On page 46, policy 1.6, Mr. Hensel read the first goal and felt it was a conflict regarding the areas of impact and what the cities want. Ms. Rutherford commented when the city's zoning is governing, their Comp Plan is also governing. Mr. Hensel suggested striking the "areas of impact." Mr. Hill commented there was a direct conflict with the economic development goal 4.8 on page 34 and page 46, policy 1.6 that encourages higher densities. He felt striking the areas of impact would eliminate that conflict. Mr. Hensel said he didn't think the intent was to specify higher densities there. Mr. Hill felt it was confusing. Mr. Larson asked if there was any way to encourage higher density in the cities. Mr. Arnold felt removing the area of impact would help. Mr. Hill commented that in encouraging higher densities within the cities, if you had a project that was in both the city and the area of impact, you could use this goal to encourage density be pushed into the cities. It was agreed to strike "areas of impact."

On page 50, Mr. Hensel commented under Transit, TRTPA is spelled out but START is not spelled out. Mr. Larson stated it stood for "Southern Teton Area Rapid Transit." It was agreed by the Commission it should be spelled out.

On page 52, Mr. Hensel addressed a comment about why the Comp Plan is mentioning towns like Aspen, Steamboat, and Ketchum, and he felt it made sense to have them in there. Mr. Arnold felt it should be left in as a reference because it was just providing examples of what was being defined. Also on page 52, Mr. Arnold commented he did not understand the last paragraph in red and asked what "shoulder" season means. Mr. Hensel commented that refers to the slow season. Mr. Arnold suggested the word "shoulder" be taken out. The Commission agreed.

On page 53, under Educational Facilities, there were suggested word changes from the school district. The school district suggested striking the sentence that starts with "Public schools in Teton county" and inserting a sentence that reads, "Good communities support good schools, and good schools support good communities. Schools in Teton County should continue to aspire to a high standard of excellence." The Commission agreed on the change.

On page 55, under Key Actions, "Reduce future potential supply of residential lots by 75%" was discussed next. Mr. Hensel pointed out a worksheet sent by the chair of the Economic Development Council subcommittee explaining how they arrived at the 75% number, and there were also staff comments on the issue prepared in a supplemental staff report document provided to the Commission. Mr. Hensel also noted that the above referenced statement was written in conjunction with the next Key Action which states "Prioritize existing commercial and manufacturing land to reach a goal of 60/40% commercial/residential tax base." Mr. Arnold commented he felt both Key Actions were important goals to work towards, but in both cases it is impossible to project or control the future economics. He felt that the important issue as the Commission moves forward is to revise the zoning ordinances to reflect the goals of the Comp Plan, and part of that process will deal with density and design. He did not think that a firm number of 75% reduction was appropriate. Mr. Arnold commented it was an appropriate goal to work towards, but zoning regulations should not dictate where people will live because it limits the opportunity for some areas in the county to build or develop. He believed in the ordinance writing the issue would be appropriately addressed. He suggested looking at impact fees that could address providing services to people who choose to live in rural areas of the county. He suggested changing the sentence to read "Cultivate sustainable development, designs and densities," and pointed out the definition in the Glossary for the word "sustainable." Mr. Colyer

asked if Mr. Arnold was proposing any changes to the 60/40% Key Action statement. Mr. Arnold said he was not because he did not have expertise in that area.

Mr. Hensel commented he talked to the Economic Development subcommittee chairperson. There was discussion on densities and they did not feel comfortable putting specific numbers to densities, but felt there was a serious problem with the overabundance of residential lots. After looking at population projections, they felt a strategy to reduce potential future lots to maintain property values was appropriate. He pointed out a lot of older subdivision are only approximately 30% built out. He felt they were saying it made more sense to have A20 zoning with five lots built on than A2.5 with only 30% of the lots built on. That is why Mr. Hensel felt the concept proposed was fair, and he felt it was acceptable as written. He believed that it wasn't the county that would prohibit development on someone's property, but the oversupply of existing lots would limit the potential to sell future lots. Mr. Arnold stated he agreed with a lot of Mr. Hensel's comments, but felt the County was still taking away future property rights for development when the economy starts to change. He felt there may be higher demand in the future and it should not be prohibited. He pointed out that current zoning requires that all infrastructure and improvements have to be in place before the lots can be platted, which would have eliminated the problems that currently exist if it had been in place sooner. He felt it makes sense to allow the opportunity for development when the time comes for the property owner and a project can be economical. Mr. Hensel commented his understanding was the statement came from the effort to minimize A2.5 zoning. Ms. Dustin pointed out that it doesn't say that. Mr. Arnold felt the Commission could do their jobs to reflect the goals of the Comp Plan and improve the future development opportunities without reducing private property rights. He recognizes that some A2.5 zoning areas should be eliminated, but not all of them because it was taking away land owners' opportunities.

Ms. Dustin commented that on page 7 there is a paragraph that reads "Under Idaho Code 67-6502, Teton County has an obligation to regulate and use in order to promote the health, safety and general welfare of the public. This Plan strives to provide a balance between private and public property rights." She commented she went to the state website and looked up the passage. She read that passage into the record. She felt the Commission needs to listen to what property owners are saying about their property rights being restricted, which the Code clearly states should not happen. Mr. Johnson commented he felt the intent of the Economic Development committee was to stabilize the economy and they determined the 75% number by using annual percentage growths. He felt they made a conscious effort to separate that number from zoning and were not suggesting eliminating all A2.5 zoning, but were looking to find ways to accomplish the goal without saying everything has to be A20. Ms. Dustin pointed out that it does not say that, which is the point she was trying to make. Mr. Johnson commented they wanted to reduce the number of potential lots by 75% to create a stable economy, and he felt it should be worded to reflect some type of annual percentage growth number, backing into things that way.

Mr. Hensel wanted clarify he felt that Ms. Dustin's concern was the effect of the statement on the large rural property owners, not the owners of small lots in town. Ms. Dustin stated it does not specifically address A20 or A2.5 lots, it is very general referring to 75% of all residential lots. Mr. Hensel commented changing lower density lots doesn't really address the problem, which is the higher density potential of future lots. He felt something needs to be done to protect

property values. Mr. Larson agreed that the Economic Development subcommittee got the 75% number by trying to find a sustainable scenario. He commented that the empty lots currently existing in the county made development opportunities on large parcels almost zero. In order for large parcels to be developed and sold in the future, the over abundance of existing lots have to be addressed somehow. He believed that until there is a mechanism to improve property values, the economy won't move forward. He believed that the Comp Plan has to state clearly the need to reduce future potential lot sales.

Mr. Colyer commented on a sentence in the supplemental staff report he felt had a good point about the 75% Key Action statement. It suggests that the 75% number came about by trying to match as close as possible the supply with the future demand based on growth projections. The staff report suggested a sentence that read "Reduce the future potential supply of residential lots to reflect the future need based on projected population growth." He felt if that statement was taken literally the reduction might turn out to be more than 75%. Mr. Colyer believed that just getting rid of the 75% number would not solve the issue. He thought that wording was too general and vague, and did not convey the same meaning as reduce the future potential lot supply by 75%. He believed that the county needs to be proactive to correct the situation of over supply; he did not believe the market would correct the problem on its own. Mr. Colyer felt the Plan needed something proactive to address the magnitude of the supply reduction necessary to fix the over supply problem.

Mr. Hill commented that he supports the 75% reduction statement. He asked Mr. Arnold about his suggested wording. Mr. Arnold commented he did not think it should specifically reference a number for reduction because no one knows what the future will bring. Mr. Hill commented in terms of economic sustainability, the wording proposed by Mr. Arnold would have flexibility for future development. He felt the Economic Development committee came up with the 75% calculation in order to bring supply and demand closer together, and that could potentially require reduction of 100% in future supply. He cautioned against using the word "sustainable" because he believed that people might interpret it to mean that no one could develop anything until supply was equal to demand. Mr. Hill understood the impact to large land owners who feel that they are bearing more of the burden for lot reduction than anyone else, but commented that most of the people who have purchased homes in the last 10 years in Teton valley have been severely impacted by the over supply of lots. He commented that everyone in the valley has a stake in the potential of future lot supply because of the economic impact on the value of their property, and he supports the wording proposed. He commented on the state statutes, including LLUPA, that require counties and cities to protect property rights and values, and felt something has to be done about the supply issue in order to protect values. He did not feel that under the legal system, property owners are entitled to the zoning they would prefer. It is up to cities and counties to decide appropriate zoning.

Mr. Arnold commented he is opposed to the statement as worded. He did not feel specific numbers should be included in the Comp Plan because you don't know what will happen in the future. He felt the County has an obligation to protect property rights. He commented he understands the current over supply of residential lots, but a land owner might have potential investors in the future who are interested in their land and they should be able to take advantage of that opportunity. He did not believe government should be allowed to take away incentives from property owners.

Mr. Larson suggested a replacement sentence that reads “Create a more sustainable supply of future potential residential lots.” He felt that was a strong sentence that will accomplish the intent. Mr. Johnson said he was not interested in increasing the inventory. He would not hesitate to tie that comment to inventory and not increasing future inventory. Mr. Colyer commented that it was referring to future potential lots, not inventory. Mr. Larson commented there was nothing that could be done about the current supply other than encouraging vacations of existing lots. Mr. Hensel felt that there is no incentive to make current lots go away. Mr. Larson commented that the Economic Development committee was trying to reduce the future number of lots. Mr. Arnold did not want to take property rights away but allow some time to work on zoning ordinances in a flexible manner which would work to improve property values and neighborhood designs. Mr. Hensel asked if Mr. Arnold felt Mr. Larson’s suggested statement would address his concerns. Mr. Arnold felt it would sufficiently address the problem without using a specific number. He felt that reflects the spirit of what the Economic Development committee was trying to do and gives the Commission a charge on what they need to do.

Mr. Hill commented that there are those who would define the word “sustainable” by numbers, and the numbers right now say that current population growth is not going to absorb the supply. He wanted to know how to prevent the term “sustainable” from going over 75%. Mr. Arnold felt that would be dealt with when making changes to the zoning ordinances. He did not feel “sustainability” was a bad word. Mr. Hill felt it could be if it meant 80% or 90% of future development potential. Mr. Arnold felt it allows the flexibility needed and asked Mr. Hill if he had another suggestion for that word. Mr. Hill commented that he as concerned with relying on the word “sustainable,” particularly the Glossary definition of the word. He felt that when the Economic Development committee came up with the numbers, they probably found that the most sustainable number to create a healthy real estate market was a number of 100%. Mr. Larson commented he explicitly said “more sustainable” because he believes that “sustainable” means 100%, but he did not feel that was realistic. He felt the words “more sustainable supply of future potential lots” would get it in the 75%-80% range. Mr. Arnold felt that the Commission was charged with trying to write ordinances that reflect the economics of the situation, and that is not the charge of the Economic Development committee.

Mr. Johnson asked Mr. Larson if he would be opposed to adding “based on projected population growth” to the sentence proposed. Mr. Larson was fine with that change. Mr. Larson restated the proposed sentence that read, “Create a more sustainable supply of future potential residential lots based on projected population growth.” Mr. Hill wanted to add a note of caution that the numbers would indicate that means more than a 75% reduction. He felt it was more restrictive if tied to population growth. Mr. Arnold agreed with Mr. Hill and did not want to tie it to population growth. He felt that the word “sustainable” allowed some flexibility to deal with the numbers at the time the Commission is actually working on the zoning ordinance changes.

Mr. Larson asked if Mr. Hill agreed with his statement adding “projected population growth.” Mr. Hill commented as someone who is looking at the numbers, which are saying you match lot supply to population growth, that is equating supply with demand. He felt it was somewhat in line with the Economic Development committee’s intent and he would support it for that reason. He still felt it was a more restrictive provision than the 75% number proposed. He stated he supports the 75% statement because he felt it was a bold enough step to address the economic issue. If the Commission wants to be more bold in addressing the economic issue, as someone

who wants to address the economic issue, he would be in favor of addressing it in a more aggressive fashion so he would support the sentence proposed by Mr. Larson. Mr. Larson commented the Commission is not a decision making body and the sentence will be reviewed by the Board of County Commissioners who will make the final decision. He felt they should agree on something and move on.

Mr. Hensel suggested looking at the bullet point 3 down that reads "Require development proposals to be accompanied by relevant market research," and thought that might be a better place to put the projected population growth phrase rather than on the original sentence proposed by Mr. Larson. He felt that the 75% reduction statement was a strong statement meant to reduce future potential residential lots, but he did not have a problem supporting the language proposed by Mr. Larson. He agreed with Mr. Hill saying he felt the proposed statement was a much stronger statement. Mr. Larson also agreed it was a stronger statement. Mr. Arnold thought it would be a good idea to put the population growth reference in the lower sentence. Mr. Colyer did not agree with eliminating "projected population growth" and moving it down to the last sentence, he felt the subsequent bullet was getting on to a different topic associated with off-site impacts and he did not want to see it watered down by combining it with the other topic.

Mr. Hensel suggested using the statement Mr. Larson proposed, which was "Create a more sustainable supply of future potential residential lots based on projected population growth," and stated he would support that. Mr. Colyer said he would support that statement, but felt it was the same as the 75% statement. He did not understand the difference in perception of either statement in regards to taking away property rights. Mr. Arnold felt it addressed property rights by not having a specific number in the Comp Plan. That would be worked out during revision of the zoning ordinances. Mr. Colyer said he understood Mr. Arnold's feelings, but believed that 75% was a more attainable goal than the revised statement proposed and was concerned some might interpret it as a 100% reduction. He wondered why there was no concern over the 60/40% percent numbers for the commercial/residential statement and wondered why that was not a concern because of the specific numbers referenced; only the 75% number used for residential lots seemed to be a concern. Mr. Hill asked Mr. Arnold if he supported the statement if it was tied to population growth. Mr. Arnold did not want it tied to population growth because he felt it reduces flexibility when revising the zoning ordinances. Mr. Hensel asked if he would support it being tied to the 3rd bullet down. Mr. Colyer asked if it could be tied to that statement and split the off-site impacts as another bullet point. He felt considering the viability could be interpreted with or without considering off-site impacts, which would need to be considered in providing off-site services. Mr. Hensel asked how that would be stated. Mr. Larson felt that off-site impacts should be considered when discussing viability, but it could be done in a separate bullet.

Ms. Dustin suggested changing the sentence to read "Reduce future potential high to medium density lot supply by 75%." Mr. Johnson asked how that changes what is currently proposed. Ms. Dustin commented it refers to specific densities, not all densities. Mr. Hill commented medium and high densities are contained in certain colors on the Framework Map, so he asked if it is only in those areas that development potential gets reduced by 75%. That would mean the only places it would apply is in the rural neighborhoods, the town neighborhoods, and mixed ag/rural neighborhoods. Mr. Hensel commented the only high residential designations are in the cities and the county doesn't have any control over those areas. He felt Ms. Dustin's suggestion would mean a reduction should come in the rural neighborhood and in the town neighborhood.

She felt it should be the A2.5 areas that would be affected. Mr. Larson wanted to know how that would affect the 26,000 potential future lots that are low, medium or high density. Mr. Colyer thought Ms. Dustin was suggesting zoning the whole county as A20 except in the cities and areas of impact. Mr. Hensel commented that was a simple and fair proposal, but he did not feel it was necessarily good planning. Mr. Larson felt it gets away from the flexibility issue proposed by Mr. Arnold.

Ms. Spitzer suggested adding words on page 11 between the paragraph that ends with the word “included” and the paragraph that starts with the word “Rights” that would read, “Land use policies, restrictions, conditions and fees shall not violate private property protections provided in the state and federal constitutions. Paramount to future land use policies, restrictions, and conditions are sustainable design, limited off-site impacts, and viability of future development. But land use policies, restrictions, conditions and fees should not create unnecessary technical limitations on property.” She felt it would comply with Idaho codes and provide a better analysis of property rights, and would possibly eliminate some people’s concerns of impeding them. Mr. Larson felt the language should be added as suggested by Ms. Spitzer. Mr. Hensel agreed it should be added, but did not feel it would deal with the statement in question.

Mr. Hensel commented that Ms. Dustin’s suggestion would reduce density on all but large land owners. Mr. Arnold commented that helping economics and increasing the value of land would require making changes, but he wanted to see flexibility in the process when amending the ordinances, and he felt the previously proposed language would accomplish that. Mr. Hill commented the need for flexibility in the future and to adjust lot supply accordingly is addressed in two ways. He felt the 75% statement proposed was a flexible number for future growth. He felt the Comp Plan can be amended in the future if there was an unprecedented economic boom in the future that would propel growth rates beyond what is currently projected.

Mr. Hensel asked Ms. Dustin if adding language that specified that, “The reduction of future potential residential lots should be done in a fair and equitable manner,” would address her concerns. Ms. Dustin agreed with that suggestion. Mr. Hensel suggested adding that as a sentence after the one proposed by Mr. Larson. Mr. Hensel suggested replacing the Key Actions referring to reducing future residential lots by 75% with a sentence that read “Create a more sustainable supply of future residential lots. Reduction should be done in a fair and equitable manner among all zoning districts.” Mr. Arnold was concerned that language would defeat the purpose of allowing flexibility when they get to the point of amending the ordinances. He felt it would allow an across the board change regardless of where you live, which would restrict the possibility of improving the ordinances to help the economic situation and the way lots are produced in the future. Mr. Hensel then suggested going back to the language that reads, “Create a more sustainable supply of future potential residential lots.” He also suggested changing bullet 6 to read “Require development proposals to be accompanied with relevant market research, justification based on projected population growth, and due diligence that justifies viability of the project.” It was suggested adding a separate bullet to consider design and off-site impacts. Mr. Arnold commented he would agree with all the language proposed by Mr. Hensel.

Mr. Colyer was concerned that requiring a development proposal to be accompanied by relevant market research that considers population growth was a different thing than to reduce future potential supply of residential lots to a sustainable number based on population growth. He felt in order to appease concerns voiced, they had done away with linking the supply of lots to

potential lots and somehow said that development has to be cognizant of population growth, which he felt was a totally different topic.

Mr. Arnold commented that at some point in time in the future, if a land owner wanted to develop his property, he would have to meet the rules in place at that time. Mr. Hill asked if the market research takes into consideration population growth and if something is proposed tomorrow to add 40 lots somewhere in the county that doesn't currently have the population to support that growth, would the petition to subdivide be denied. Mr. Hensel felt that could be the consequence of bullet 6. Mr. Colyer commented the other issue is that reducing future potential supply is something the County can do, but the last bullet point is something the developer would have to do at a cost incurred without any guarantee the project could move forward. He felt it was putting more burden and unpredictability into the development process. Mr. Arnold agreed that it wasn't the right place for that statement, and suggested moving it back to the other bullet point which puts the responsibility back on the County. He felt it was their job to move forward as best they can and try to improve the economic situation in the community.

Mr. Hensel summarized by saying they would go back to the statement that reads, "Create a more sustainable supply of future potential residential lots based on projected population growth." Mr. Larson suggested ending bullet 6 after the word "project" and adding another bullet point that read "Consider design and off-site impacts." Mr. Hill commented there were four people in support of the 75% wording and now there are four people that are in favor of tying lot supply to population growth. He was confused with the difference. Mr. Hensel commented he was in support of the new wording because it addresses Mr. Arnold's concerns and other concerns voiced by the public, but agreed it may be more restrictive. He felt the intent of the Economic Development committee was still being upheld. Mr. Hill wanted to make sure everyone understood the implication of tying it to projected population growth. Mr. Arnold commented he did understand, but was not concerned it meant that growth would be zero, because the future rewording of ordinances can work on that issue. Mr. Hill wanted to know if the Commission felt the new language was making the intent stronger, the same, or weaker. He felt it made the intent stronger. Mr. Arnold commented the Commissioners were not here to choose a specific number, he felt it should be flexible so it can be addressed in amending the ordinances. Mr. Johnson and Mr. Colyer agreed to support the proposed language. Ms. Dustin did not feel it would work for her.

Mr. Hensel restated the proposed change saying they would go back to the statement for bullet 3 that reads "Create a more sustainable supply of future potential residential lots based on projected population growth," ending bullet 6 after the word "project," and adding another bullet point that reads "Consider design and off-site impacts." Ms. Rutherford felt the last bullet should read "Require development proposals to consider design and off-site impacts." It was the consensus of the Commission to go with the new language with five of the seven in support of the statement.

Mr. Hensel asked about the last sentence in the staff's recommendations to add a sentence that states, "Eliminate density bonuses that are inconsistent with surrounding zoning." Mr. Hensel felt it would direct the people working on amending the zoning ordinances to eliminate density bonuses. Ms. Rutherford commented that the potential lots being discussed previously did not include PUD density bonuses. It was the consensus of the Commission to add the sentence.

Mr. Hensel asked the Commission if they were OK with adding the clarification phrase on page 11 suggested by Ms. Spitzer. It was the consensus of the Commission to add the language proposed by the county attorney, Ms. Spitzer.

On page 57, on the first item Mr. Hensel suggested adding “cities and counties” as participants along with non-profit organizations. The Commission agreed to the addition.

On page 59, Mr. Larson suggested changing the second-to-last line item under Participants to change “Teton Valley Trails and Pathways” to “non-profits.” The Commission agreed to the change.

On page 61, under the third Key Action, Mr. Larson suggested taking out the word “incentive” after the word “clustering.” Mr. Colyer suggested on page 61, the second Key Action from the bottom, adding the word “standards” after the word “overlays” because he did not feel you can strengthen an overlay, only the standards that apply to proposed activities within the overlays. The Commission agreed to the changes.

On page 62, Mr. Hensel suggested on the last Key Action to put in period after the words “travel plan” and eliminate the rest of the sentence. It was also proposed to read “winter/summer travel plan.” The Commission agreed to the change.

On page 65, Mr. Larson suggested in the middle section under Participants it should include Teton Valley Health Care. The Commission agreed to the change.

On page 64, Ms. Rutherford referred to the suggestion by the school district on the last bullet under Where are We Now to eliminate the words “with limited opportunities.” The Commission agreed to the change.

On page 67, under the last Key Action, Mr. Larson suggested adding the word “consider” before the word “amending” since they are not necessarily going to amend it to allow those things. Mr. Colyer asked if it should read and/or. The Commission agreed on the changes. Mr. Larson also suggested that under the second section, the first Key Action, the word “incentive” be removed.

On page 69, end of second paragraph, Mr. Hensel suggested adding the word “county and” before the word “state.” The Commission agreed to the change.

On page 71, in last sentence Mr. Hensel suggested it be changed to read, “Other funding options could include a voluntary fee, or resort tax, or real estate transfer tax, or a hotel tax. The Commission agreed to the change.

On page 72 & 73, Family Lot Splits and Short Plats were discussed. Mr. Larson commented that those things are just things that are going to be considered, so they should be left in to be discussed in the future. He commented he was not comfortable with the family lot splits because he was not sure how to control them, but felt it could be discussed down the line. Mr. Arnold proposed to change the wording under “Family Lot Splits” to strike everything except the following sentence: “This type of small subdivision originated from the farming tradition that allowed a farmer to split off lots for his children.” He proposed to leave the second paragraph as written. Mr. Arnold wanted to change the wording because he did not want it to dictate that a family lot split required the family member to farm the land in order to allow the split.

Under A1. Glossary of Terms, on page 3 of 42, Mr. Hensel suggested striking the definition of Business Development Centers. Ms. Rutherford commented that since it was stricken from Rural Industrial, it should be stricken as a definition. She also suggested striking the Strip Commercial definition.

Mr. Hensel asked staff if they needed an industry medium definition. Mr. Moore commented it is a matter of scale and there are several different ways to approach it. Mr. Hill commented that in Jackson, whatever the national standard refers to as medium industry, they call it heavy industry. He commented that heavy industry doesn't occur in Jackson or Teton Valley so Jackson's version of heavy industry is Pittsburgh's definition of medium industry. Mr. Moore commented that when you start storing fuel like propane, it gets into a lot of definitions that touch into heavy industrial, and even repair of machinery, so he cautioned the Commission that some of those things are necessary functions in the community and suggested they be careful restricting definitions. Mr. Hensel thought that they did go with medium industrial on page 27, but Ms. Rutherford commented she had noted they decided on "Heavy industrial at the appropriate scale in appropriate locations." It was decided that they do not need a definition of medium industrial based on that description.

On page 5, Mr. Arnold suggested changing the definition of Nurture to read "Support and encourage significant characteristics and qualities." The Commission agreed to the definition.

Ms. Rutherford asked the Commission if they wanted to change the definition of Industry, Heavy. Mr. Hensel read out loud the staff recommended definition that was provided. He stated his only comment was that the County doesn't have a place for heavy industrial. Mr. Colyer commented there were several sentences in the definition that he did not feel were appropriate for Teton County. He commented he would support a definition closer to the one used in Burien, Washington and read the definition provided by staff. Mr. Larson felt that was closer to what he believed the cities would like to see in the County. Mr. Hill asked Mr. Moore what he felt the drawback was using Teton County, WY definition. Mr. Moore thought it was a good definition because it provided concrete uses, oriented toward our vicinity. Mr. Moore read the definition used by Teton County, WY. Ms. Rutherford commented the uses will be defined in the codes, that the Comp Plan is a general outline for what is meant for heavy industrial. She was concerned with being so specific in the Comp Plan with uses. Mr. Hill commented in response to Mayor Powers' concerns; he felt Mr. Powers seemed to want specific uses defined. He was inclined to go with the Teton County, WY definition based on Mr. Powers' concerns and the reasons provided by Mr. Moore. Mr. Hensel commented that the airport is working on jet engines outside the building and he felt that was a more intrusive heavy industrial use than someone working on heavy equipment inside a building. Mr. Hill commented they are just providing examples as common uses, and writing the codes would outline more specific uses. Mr. Moore commented that when writing the code you will make distinctions about level of uses as well as specific uses, which will be judged at the application stage for compliance. Mr. Hill recommended using the Teton County, WY definition. Mr. Arnold suggested adding the word "typical" before "Heavy" in the definition. Mr. Hill did not have a problem with that addition. Ms. Rutherford asked the Commission if they wanted to include the statement, "and uses of similar scale and impact as determined by the Planning Administrator." The Commission agreed to include that to the Teton County, WY definition.

Mr. Hensel wanted to point out the changes on page 37 of 42, regarding eliminating "The Rails to Trails (RTT) project" from the first sentence. The Commission was OK with that change. Ms. Rutherford also wanted to clarify if the Commission was OK with the definition of Pathway. Mr. Larson commented he was because generally they are designed for non motorized use. The Commission was OK with the definition.

Mr. Hensel pointed out a couple other small changes proposed by staff that the Commission was not opposed to.

Ms. Rutherford went through the proposed changes based on the Commission discussion and reviewed them page by page to read as follows:

Page 11: add a paragraph before the last paragraph: "Land use policies, restrictions, conditions and fees shall not violate private property protections provided in the state and federal constitutions. Paramount to future land use policies, restrictions and conditions are sustainable design, limited off-site impacts and viability of future development. But land use policies, restrictions, conditions and fees should not create unnecessary technical limitations on property."

Page 27, in the first paragraph under Town Neighborhoods, to move the sentence that starts with "The unincorporated town of Felt" to Rural Neighborhoods. Also in that paragraph, in the first part of the red, to eliminate the word "while" and the words "less dense." Ms. Rutherford read the revised sentence.

Also on page 27, Under Industrial/Research, the Heavy industrial bullet will have the words "at the appropriate scale and appropriate locations." The fourth bullet, Business development centers" will be removed. Under Rural Neighborhoods, the first bullet will have the words "with residential densities in" stricken. The second bullet will have the words "and provisions for clustering" added. And the third bullet will have the first word "clustered" stricken.

Page 28, the last bullet under Rural Neighborhoods will read "A clear distinction between residential development and open space/agricultural areas." Also, the fourth bullet will read "Safe and convenient street and pathway connections within these areas and when practical, to Towns."

Page 29, the first bullet will read "Low, to medium where appropriate, density residential with provisions for clustering/conservation development to preserve views." Under Foothills, the last bullet will read "Development regulated by overlays and development guidelines to protect natural resources."

Page 34, Goal Ed4, policies, 4.5, will read "Limit commercial retail business to Driggs, Victor and Tetonia." Striking the rest of the language.

Page 39 and throughout the document, whenever it talks about a winter travel plan, it will be changed to summer/winter travel plan.

Page 44, under Goal CEF1, policies 1.6, removing the word "schools", leaving everything else the same. Under Goal CEF2, policies 2.1, change to read "Work with School District 401, private schools, and non profit organizations to encourage expansion and development of the pre-K through post secondary education system."

Page 46, under Goal ARH1, policies 1.6, removing the words “and their areas of impact.”

Page 50, in the first paragraph under Transit, after “START” it will say (Southern Teton Area Rapid Transit).

Page 52, in the last paragraph, third line from the bottom, the sixth sentence shall read “The benefits to the destination are significant and can bolster lodging, retail, dining and entertainment during otherwise slow seasons.”

Page 53, under Education Facilities, the third sentence will be stricken and replaced with “Good communities support good schools and good schools support good communities. Schools in Teton County should consider to aspire to a high standard of excellence.”

Page 55, under Economic Development, the second point that reads “Reduce land values due to oversupply of residential lots”, the third bullet that reads “Reduce future potential supply of residential lots by 75%” will be stricken and will read “Create a more sustainable supply of future potential residential lots based on projected population growth.” On the 6th Key Action striking the words “and consider off-site impacts.” so it reads “Require development proposals to be accompanied by relevant market research and due diligence that justifies viability of the project.” Next, two bullets will be added. The first will read “Require development proposals to consider design and off-site impacts.” The second will read “Eliminate density bonuses that are inconsistent with surrounding zoning.”

Page 57, the first Key Action, adding “Teton county and the cities” to the Participant List.

Page 59, under the Participant List, second Key Action from the bottom, replacing “Teton Valley Trails and Pathways” with “non profit organizations.”

Page 61, strike the word “incentives” from the third Key Action on the page. On the second Key Action from the bottom under Overlay Standards, adding the word “standards” to the end of the sentence.

Page 62, amend the final Key Action to read “Create motorized and non-motorized Summer and Winter Travel Plan.”

Page 64, under the last Where are We Now, the sentence will read “Little opportunity for post-secondary education and an under funded public school system.”, striking the words “with limited opportunities.”

Page 65, under Where Do We Want to Go, along with Continued Emergency Services the words “Teton Valley Health Care” will be added.

Page 67, the second Key Action, strike the word “incentives.” In the last Key Action the sentence will be amended to read “Consider amending the Subdivision Ordinance to allow Family Lot Splits and/or a Short Plat process.”

Page 69, under Implementation Tools, the second paragraph, the last sentence will be amended to read “Additional tools for implementing the Comprehensive Plan include other portions of the

County Code, the Capital Improvement Plan and County and State impact fee regulations, and a host of non-regulatory means.”

Page 71, under Open Space Purchase or Donation, the last sentence will read “Other funding options could include a voluntary fee, or resort tax, or a real estate transfer tax, or hotel taxes.”

Page 72, the Family Lot Splits first paragraph will read “Family lots splits originated from the farming tradition that allowed a farmer to split off lots for his children.”

In the Appendix, the bottom of page 4, the Industry, Heavy definition was replaced with the Teton County, WY definition, with the addition of the word “Typically” in the beginning of the first sentence and at the end of the last sentence the addition of the words “and uses of similar scale and impact as determined by the Planning Administrator.” On page 5, the definition of Nurture is being replaced with “Support and encourage significant characteristics and qualities. On page 7, the definition of Strip Commercial is being removed. That was the end of the changes.

Mr. Hensel stated that Commissioner Ms. Jennifer Dustin left the meeting, but there was still a quorum so a vote will take place on the Comp Plan.

Motion: Mr. Arnold moved that having found that Comprehensive Plan and the Framework Map meets the letter and intent of the Idaho State Statute 67-6508, he moved that the Planning & Zoning Commission recommend approval of the draft document as presented in the track-change document in the staff report, as amended tonight and articulated by staff. Mr. Colyer seconded the motion.

Vote: After a roll call vote, the motion was unanimously approved.

Motion: Mr. Larson moved to adjourn the meeting. Mr. Hill seconded the motion.

Vote: The motion was unanimously approved.

The meeting was adjourned at 9:15.

These minutes were approved by the Planning & Zoning Commission on July 24, 2012.